

## **REMARKS**

Claims 1-40 are pending in the application. Reconsideration of the outstanding rejections, objections and withdrawals is respectfully requested based on the following.

### **Restriction Requirement:**

The Restriction Requirement dated November 14, 2005, required the applicants to choose between Species I and II. The complete identification in the Restriction Requirement of Species I was "embodiment of the invention as shown in Figs. 1-5" and of Species II was "embodiment of the invention as shown in Figs. 6-10." Applicants elected Species II and withdrew from consideration claims 5, 7, and 9. The current Office Action now also withdraws from consideration Claims 15-17, 26, 27, 29 and 32-40, because these are allegedly drawn to additional species other than the Species I and II identified in the Restriction Requirement. In short, the Restriction Requirement identifies two Species, but the current Office Action expands the Species to six, as far as applicants can tell. Applicants now respectfully request reconsideration of the withdrawal of claims 15-17, 26, 27, 29 and 32-40. In any event, applicants acknowledge that claims to additional species that include the limitations of any allowed generic claims will be considered upon such allowance. Applicants agree that at least claim 1 is generic.

### **Claim Objections:**

The informalities of claims 4 and 8 have been corrected.

### **Claim Rejections:**

Claims 1-4, 6, 8, 10-14, 18-21, 23-25, 28, 30, and 31 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 731,707 to Putnam. In addition, claims 1, 21 and 22 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,551,380 to Hodgson. These rejections are now respectfully traversed.

Applicants respectfully submit that neither Putnam nor Hodgson teach a lever having a manipulation portion in combination with to a frame as claimed. Nevertheless, claim 1 has been amended to better define the current invention over Putnam and Hodgson. Neither Putnam nor Hodgson disclose or teach application of a force directly to the lever to move it into a void defined by the frame (see, e.g., Application pp. 11-13 and 16-17). The lever of Putnam moves opposite to the claimed lever in that the Putnam lever moves out of rather than into the frame to which it is mounted. As for Hodgson, applicants dispute that it discloses a frame or a lever at all, much less one as originally claimed. In any event, even if Hodgson has a frame, *arguendo*, such a frame clearly does not define a lever void. Thus, even to the extent that Hodgson taught what properly could be considered to approximate the lever originally claimed and disclosed (which applicants submit is not the case), no such lever, indeed no portion of Hodgson moves into a void as currently claimed. In summary, Putnam does not have a lever that moves into a void, and Hodgson does not even have a void. This is enough to traverse the rejection.

Providing independent and additional grounds for traversing the rejection is the fact that neither Putnam nor Hodgson disclose a pushing force applied directly to their respective levers (assuming *arguendo* that Hodgson even has a lever) to move them to

the open position. In the case of Putnam, it does not teach direct manipulation as claimed. Rather, a user must use the hook (36) or the bell crank lever (26) to move the lever (18) into the open position. The absence of this limitation is also singularly enough to distinguish over each of Putnam and Hodgson.

As for independent claim 31, applicants respectfully submit that Putnam in no way teaches "a housing formed to resemble the head of a mammal," much less a head including "anatomically representative protrusions." In fact, the Office Action points to **no protrusions** on the frame (13) of Putnam. Rather, it states that the frame (13) and the protrusions are the same. Not only is this nonsensical, and wrong in that the drawings show no protrusions on the frame, but it violates the legal requirement that all words of a claim be given meaning. By conflating the terms "frame" and "anatomically representative protrusions," the Office Action has not given effect to all of the claim limitations. This is fatal to the rejection. Equally fatal is the fact, as noted above, that Putnam does not teach "a direct manipulation portion" as required. Accordingly, applicants respectfully request reconsideration and withdrawal of the rejection of claim 31.

For any one, and each of the above reasons, the rejections are believed traversed and claim 1, and all claims depending therefrom, as well as claim 31 are believed to be in condition for allowance.

**Requirement for Information:**

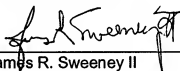
The Office Action requests information based upon an advertisement of an alleged commercial embodiment of the claimed invention. Applicants now state, through their attorney of record, the following:

1. The product mentioned above in the Office Action and offered for sale on the Internet at the referenced URL was a commercial embodiment of the applicants' invention.

2. The above-mentioned commercial embodiment was first shown in public at a trade show on or about March 17, 2004. Subsequent to that trade show, a company that attended the trade show asked to and did display on the Internet at the cited URL the above-mentioned product.

The Examiner is cordially invited to contact the undersigned by telephone to discuss any unresolved matters.

Respectfully submitted,



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